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BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
STATE OF CALIFORNIA

In the Matter of:

FPPC No: 03/133

CITIZENS FOR BETTER
GOVERNMENT and MICHAEL
LEWIS

STIPULATION, DECISION, and
ORDER

Respondents.

Complainant Roman G. Porter, Executive Director of the Fair Political Practices Commission, and Respondents Citizens for Better Government and Michael Lewis hereby agree that this Stipulation, Decision, and Order (Stipulation) will be submitted for consideration by the Fair Political Practices Commission at its next regularly scheduled meeting.

The parties agree to enter into this Stipulation to resolve all factual and legal issues raised by this matter and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of Respondents.

Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural rights set forth in sections 83115.5, 11503 and 11523 of the Government Code, and in sections 18361.1 through 18361.9 of Title 2 of the California Code of Regulations. This includes, but is not limited to, the right to personally appear at any administrative hearing held in

1 this matter, to be represented by an attorney at Respondents' own expense, to confront and cross-
2 examine all witnesses testifying at the hearing, to subpoena witnesses to testify at the hearing, to
3 have an impartial administrative law judge preside over the hearing as a hearing officer, and to
4 have the matter judicially reviewed.

5 It is further stipulated and agreed that Respondents Citizens for Better Government and
6 Michael Lewis violated the Political Reform Act by failing to disclose late contributions in a
7 properly filed late contribution report, in violation of section 84203 of the Government Code
8 (1count), and by failing to provide proper sender identification on four separate mass mailers, in
9 violation of section 84305, subdivision (a) of the Government Code (4 counts), as described in
10 Exhibit 1. Exhibit 1 is attached hereto and incorporated by reference as though fully set forth
11 herein. Exhibit 1 is a true and accurate summary of the facts in this matter.

12 Respondents agree to the issuance of the Decision and Order, which is a part hereof.
13 Respondents also agree to the Commission imposing upon them an administrative penalty in the
14 amount of Twelve Thousand Dollars (\$12,000). A cashier's check from Respondents in said
15 amount, made payable to the "General Fund of the State of California," is submitted with this
16 Stipulation as full payment of the administrative penalty, and shall be held by the State of
17 California until the Commission issues its Decision and Order regarding this matter. The parties
18 agree that in the event the Commission refuses to accept this stipulation, it shall become null and
19 void, and within fifteen (15) business days after the Commission meeting at which the
20 Stipulation is rejected, all payments tendered by Respondents in connection with this Stipulation
21 shall be reimbursed to Respondents. Respondents further stipulate and agree that in the event the
22 Commission rejects the Stipulation, and a full evidentiary hearing before the Commission
23 becomes necessary, neither any member of the Commission, nor the Executive Director, shall be
24 disqualified because of prior consideration of this Stipulation.

25
26 Dated: _____

Roman G. Porter, Executive Director
Fair Political Practices Commission

1 Dated: _____

Michael Lewis, individually and on behalf of
Citizens for Better Government, Respondents

3
4 **DECISION AND ORDER**

5 The foregoing Stipulation of the parties “In the Matter of Citizens for Better Government
6 and Michael Lewis, FPPC No. 03/133,” including all attached exhibits, is hereby accepted as the
7 final Decision and Order of the Fair Political Practices Commission, effective upon execution
8 below by the Chairman.

9 IT IS SO ORDERED.

10
11 Dated: _____

Ross Johnson, Chairman
Fair Political Practices Commission